UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,138	01/22/2002	Yevgeniy Eugene Krupatkin	RAV011USU	7298

45180	7590	08/25/2005

GRIMES & BATTERSBY, LLP
488 MAIN AVENUE, THIRD FLOOR
NORWALK, CT 06851

EXAMINER
YOUNG, DONALD G

ART UNIT	PAPER NUMBER
2654	

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	**Applicant(s)**
Office Action Summary	10/054,138	KRUPATKIN ET AL.
	Examiner	**Art Unit**	
	Donald Young	2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>03</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>22 January 2002</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213..

Disposition of Claims

4) ☒ Claim(s) *1-16* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-16* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section

made in this Office action:

> A person shall be entitled to a patent unless -
>
> (e) the invention was described in (1) an application for patent, published
> under section 122(b), by another filed in the United States before the
> invention by the applicant for patent or (2) a patent granted on an
> application for patent by another filed in the United States before the
> invention by the applicant for patent, except that an international
> application filed under the treaty defined in section 351(a) shall have the
> effects for purposes of this subsection of an application filed in the
> United States only if the international application designated the United
> States and was published under Article 21(2) of such treaty in the English
> language.

2.   **Claims 1-6, 8-9 and 12-16** are rejected under 35 U.S.C. 102(e) as

being anticipated by Keswa (US 2004/0205614).

Regarding claim 1, Keswa discloses a system for converting an

original document written in a non-voice enabled language into a voice

enabled document, said system including,

- means for communicating with a potential user (Fig. 2, element

  201; [¶0030]) and

- means for dynamically converting said original document into a

  voice-enabled document by the application of an XSLT (GSL)

  translator (VSM JSP) without the need to manually code such

  voice-enabled document ([¶0039], [¶0047]).

Regarding claims 2-4, Keswa discloses a system wherein,

- the original document is a product of a database query (HTTP
  request) and is a web page written in HTML converted into a
  VoiceXML document ([¶0010], [¶0030], [¶0031]).

Regarding claim 5, Keswa discloses a system wherein,

- means for communicating comprises a VoiceXML browser that
  parses VoiceXML (parsing voiceXML is deemed inherent as a
  result of the converted voiceXML being sent to the TTS engine
  for further processing) and handles all speech recognition
  (recognition occurs when the telephone request is converted
  from analog to a digital signal to allow the VoiceXML browser
  to understand the caller's request) and text to speech
  operations ([¶0030], [¶0047]).

Regarding Claim 6, Keswa discloses a system wherein,

- VoiceXML browser is contained on a voice server (Fig. 2,
  element 202)

Regarding claim 8, Keswa discloses a system wherein said means
for dynamically converting comprises:

- a converter (VSM JSP) for establishing a particular speech
  sequence and means for entering XSLT rules (GSL); and a run
  time engine for: receiving a request from said voice browser,
  obtaining a non-voice enabled document to be converted,
  applying the XSLT rules (GSL) from said converter (VSM JSP),
  converting (translating) said non-voice enabled document

(HTML) into a voice-enabled document (VoiceXML) by applying said XSLT rules (GSL) and outputting the converted document to said voice server ([¶0009], [¶0047]).

Regarding claim 9, Keswa discloses a system including,

- an external data source (URL) containing the original document (HTML) to be converted ([¶0044]).

Regarding claim 12, Keswa discloses a system wherein,

- said run time engine (VSM JSP) is a set of code written in Java running as a servlet application (VoiceXML Session Manger Java Server Page, [¶0032]).

Regarding claim 13, Keswa discloses a system for converting an original document written in a non-voice enabled language into a voice enabled document including:

- a voice server for communicating with a potential user (Fig. 2, element 202; [¶0030]);

- a converter (VSM JSP) for establishing a particular speech sequence with a potential user (VSM JSP handles request from the user and also sends audio of translated VoiceXML pages back to the user, [¶0009], [¶0031], [¶0047]);

- means for accessing an external data source (URL) containing said original document (HTML, [¶0031], [¶0044]) and

- a run time engine (VSM JSP) for dynamically converting said original document into a voice-enabled document by the application of an XSLT (GSL) translator from said converter

without the need to manually code such voice-enabled document

([¶0009], [¶0047]).

Regarding claim 14, Keswa discloses a system wherein said run

time engine includes:

- means for receiving a request from said voice server (Fig. 2,

  element 205);

- means for obtaining said non-voice enabled document (HTML)

  from said external data source (URL, [¶0031], [¶0044]);

- means for applying XSLT rules (GSL) from said converter and

  convert (translate) said non-voice enabled document (HTML)

  into a voice enabled document (voiceXML); and means for

  outputting the converted document to said voice server (Fig.

  2; [¶0009], [¶0047]).

Regarding claim 15, Keswa discloses a method for dynamically

converting a non-voice enabled document to a voice enabled document

method comprising the steps of:

- providing a non-voice enabled document (HTML) from an external

  data source (URL, [¶0031], [¶0044]));

- establishing predetermined XSLT translation rules (GSL) and a

  speech sequence (VSM JSP handles request from the user and

  also sends audio of translated VoiceXML pages back to the

  user) and introducing said rules and speech sequence into a

  data server having a run time engine ([¶0009], [¶0031],

  [¶0047]);

- receiving a voice request from a user through a voice server;

  communicating the voice request to said run time engine (VSM

  JSP) from said voice server (Fig. 2, [¶0030], [¶0031]);

- receiving the appropriate non-voice enabled document from said

  external source and dynamically converting it into a voice-

  enabled document by applying the predetermined XSLT

  translation rules (GSL); and communicating said voice-enabled

  document to said voice server ([¶0009], [¶0031], [¶0041],

  [¶0047]).

Regarding claim 16, Keswa discloses a method wherein,

- said non-voice enabled document is a web page written in HTML

  ([¶0010]).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the

basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically
> disclosed or described as set forth in section 102 of this title, if the
> differences between the subject matter sought to be patented and the prior
> art are such that the subject matter as a whole would have been obvious at
> the time the invention was made to a person having ordinary skill in the
> art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

4.   **Claims 7 and 10-11** are rejected under 35 U.S.C. 103(a) as being

unpatentable over Keswa (US 2004/0205614).

Regarding claims 7 and 10-11, Keswa does not teach or suggest of

the voice server being a Windows server, the converter being a Windows

tool, or the said converter running on a Windows developer

workstation. However, the examiner takes Official Notice that it is

old and well-known in the art to implement servers and other software

applications on a Windows platform environment. Therefore, it would .

have been obvious for one of ordinary skill in the art at the time of

invention to introduce Keswa's system for translating HTML to VoiceXML

in a Windows environment, to allow for extensive compatibility with

existing computer systems and infrastructures.

Conclusion

5.   The prior art made of record and not relied upon is considered

pertinent to applicant's disclosure. Profit, Jr. et al. (USPN

6,636,831) teach of a system for voice-controlled information

retrieval.

Berstis (USPN 6,718,015) teaches of a method for enabling a user

having access to a telephone device to browse the internet without a

Web browser.

Dodrill et al. (USPN 6,738,803) teach of using a user device for

accessing a proxy browser to access enhanced voice control for voice

enabled web applications.

Silva et al. (US 2002/0054090) teach of a personalized Web view

of content in a Web page for later access by users using diverse

terminals, having different types of processing and display

capabilities.

Goose et al. (US 2003/0187656) teach a method for computer-supported transformation of structured documents into a modified, structured document.

Sharma (US 2003/0125953) teaches a method for retrieving content and converting retrieved content into a file of information formatted in compliance with a voice-based protocol.

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald Young whose telephone number is (571) 272-8134. The examiner can normally be reached on 8:30 a.m. to 5:00 p.m. Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Smits can be reached on (571) 272-7628. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).
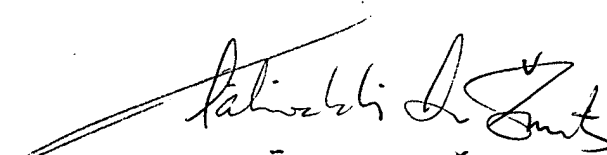
<center>DGY</center>

08/16/2005

TĀLIVALDIS IVARS SMITS
PRIMARY EXAMINER